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ATTORNEY GENERAL

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October 12, 2022

VIA ECF

Hon. Jennifer L. Rochon
United States District Judge
Southern District of New York
500 Pearl St.
New York, NY 10007

Re: *Governor Andrew M. Cuomo v. Office of the New York State Attorney General*,
1:22-mc-00280 (JLR)

Dear Judge Rochon:

I am the Deputy General Counsel in the New York State Office of the Attorney General (OAG), Respondent in the above-referenced miscellaneous action concerning Movant Andrew M. Cuomo's motion to compel (Motion) a subpoena served on this office seeking nonparty discovery in connection with a civil lawsuit pending in the Eastern District of New York, *Trooper 1 v. New York State Police, et al.*, No. 22-cv-00893 (LDH)(TAM) (E.D.N.Y. filed February 27, 2022).

Pursuant to Your Honor's October 6, 2022 Order (Dkt. No. 7), I write to advise the Court that Respondent consents to transfer the Motion to the Eastern District of New York pursuant to Rule 45(f) of the Federal Rules of Civil Procedure based upon Movant's agreement to the following proposed briefing schedule, which the parties jointly request the Court to adopt or recommend to the Eastern District should this Court transfer the Motion:

- November 1, 2022: OAG files opposition to motion to compel/cross-motion
- November 15, 2022: Movant files reply in support of motion to compel/opposition to cross-motion
- November 22, 2022: OAG files reply in support of cross-motion

We appreciate Your Honor's consideration of the requested schedule.

Respectfully,

/s/ Serena Longley

Serena Longley

Deputy General Counsel

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Application **GRANTED**. In accordance with Federal Rule of Civil Procedure 45(f), this action is hereby transferred, upon consent, to the Eastern District of New York. The Court takes no position regarding the briefing schedule for the motion to compel.

The Clerk of Court is directed to transfer this case to the Eastern District of New York without delay.

Dated: October 12, 2022
New York, New York

SO ORDERED



JENNIFER L. ROCHON
United States District Judge